

EXHIBIT D

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About Ajamie LLP

Our firm handles complex litigation matters, including financial disputes, business litigation, ERISA class actions, securities class actions, and securities arbitrations. We are lean and efficient, with the expertise and resources to represent clients worldwide. We have secured landmark awards and settlements and have a record of positive outcomes – winning critical victories and over \$1 billion in settlements and awards.

The firm has successfully handled a number of high-profile cases, including representing companies, pension funds and shareholders seeking to recover losses in stock fraud cases, and corporations and officers and directors being sued in securities matters. Thomas Ajamie, Managing Partner, holds the distinction of winning some of the largest awards in United States history.

Representative Matters: Securities / Finance / Business

- Member of the legal team that recovered over \$173.8 million for investors in the Cobalt International Energy, Inc. securities class action litigation. Our clients alleged that the defendants violated the federal securities laws by, among other things, misstating and concealing facts on Cobalt's partnership with Angolan government officials and the productivity of Cobalt's Angolan oil and gas wells. United States District Court Judge Nancy Atlas lauded the lawyers' work when she said "Plaintiffs' counsel conducted the litigation and achieved the settlements with skill, perseverance and diligent advocacy."
- Co-lead counsel that recovered a \$79 million settlement in an ERISA class action against Wells Fargo on behalf of its former financial advisors who were wrongfully forced to forfeit their deferred compensation when they left the company. Judge Joseph F. Anderson Jr. stated in his order approving the settlement that "class counsel displayed extraordinary skill and determination throughout this litigation which fully supports their well-known reputation and clear ability to handle a case of this magnitude" and further noted that this is the largest deferred executive compensation recovery in United States history.
- Liaison counsel in securities litigation in the Southern District of Texas, including cases against Weatherford International, Venator Materials, Anadarko Petroleum Co., KBR, and Conn's.

- Successfully sued Wells Fargo and won a seven-figure settlement in a case where some of its employees secretly diverted money from client accounts in Beverly Hills over two and one-half years. One of the Wells Fargo advisors was sentenced to 24 months in federal prison for his role in the fraud. The case was featured on the front page of the New York Times.
- Winning a \$14.5 million arbitration award on behalf of a New York family against Prudential Equity Group over the course of 84 hearing sessions occurring at the New York Stock Exchange. According to The Wall Street Journal, the award was the third largest award at the time to be handed out by an arbitration panel at the NYSE.
- Winning a \$429.5 million arbitration award, the largest in history, against a former PaineWebber broker. The Wall Street Journal noted at the time that the size of the award was “roughly 10 times that of the next largest award.” The United States Attorney’s office criminally prosecuted one of the PaineWebber brokers involved in the fraud. That broker had worked in PaineWebber’s New York headquarters office. The broker was sentenced to six and a half years in federal prison.
- Winning a record \$112 million jury award on a civil RICO Act claim on behalf of our Fortune 100 client against defendants who conspired to extort money from our client and tamper with trial witnesses. The jury’s verdict was the largest RICO verdict in Texas history, and the third largest in the history of the United States.
- Winning dismissal for our client, a director of the defendant company, of a securities fraud class action, and settled the action on behalf of a second director without liability for the director.
- Winning the dismissal for lack of personal jurisdiction of patent-infringement claims brought against a Finnish company in Texas federal court.
- Co-counsel in BP ERISA Litigation, alleging that company stock was an imprudent investment for employee retirement plan.
- Co-counsel in an ERISA class action alleging that plan fiduciaries breached their duties of loyalty and prudence by selecting and maintaining inappropriate Putnum mutual funds for the defendant company’s 401(k) plan.
- Member of the legal team that recovered a \$70 million settlement from Securities America, Inc., the broker-dealer subsidiary of Ameriprise Financial, Inc., for investors who lost money in the Medical Capital Ponzi scheme.
- Settling a lawsuit against two insurance agents, six insurance companies and a law firm for \$7.29 million after four days of trial in Galveston state court. The lawsuit alleged that the defendants negligently advised a 90-year-old widow and her 65-year-old son to sell their Berkshire Hathaway, Inc. stock and use the proceeds to purchase life insurance and annuities as part of an “estate tax plan.”

- Negotiating a seven-figure settlement against a national stock brokerage firm for a married couple in Philadelphia whose life savings was lost when a broker churned their account and used their savings to buy speculative technology and internet stocks. We also made claims against the brokerage firm for failing to properly supervise its brokers and failing to notify the customers about the inappropriate handling of their account.
- Winning the dismissal of 21 consolidated class action lawsuits filed in federal court against former officers of a NYSE-listed client alleging violations of Sections 10(b) and 20(a) of the Securities Exchange Act of 1934, and Rule 10b-5 thereunder.
- Winning an eight-figure settlement on behalf of several investors defrauded of over \$100 million by one of the United States' largest national brokerage firms.
- Successfully representing a pension fund in a lawsuit against a New York hedge fund after the hedge fund lost 30% of the funds with which it was entrusted.
- In the Enron litigation, representing one of the insurance companies that provided directors and officers insurance coverage.
- Winning a \$12.2 million judgment, including full damages and all attorneys' fees, on behalf of a multinational computer technology company against its former employees who conspired to engage in a false-invoice and bid-rigging scheme to defraud the company.
- Successfully litigating and settling for seven figures an unliquidated and unsecured general creditor litigation claim in the New York Lehman Brothers bankruptcy proceeding.
- Winning the dismissal of a complaint filed in New Jersey by Prime Healthcare, Inc. against our client who operates hospitals in New Jersey. The complaint asserted antitrust and common law claims and alleged that our client had conspired with others to prevent the plaintiff from competing in New Jersey.
- Negotiating and drafting a structured multimillion-dollar Mexico/USA cross-border settlement resolving over 40 civil actions including federal and state court proceedings in the United States, federal and state court proceedings in Mexico, and civil arbitration proceedings in Mexico.
- Recovering a multi-million dollar "clawback" for a Fortune 100 client in a case where the client's executive employees were hired away by a competitor. The departing executives had signed agreements in which they promised to pay back restricted stock and stock option awards that they received if they went to work for a competitor.

- Successfully defending our client, a major automobile parts manufacturer, in a consumer class action seeking hundreds of millions of dollars for costs of defective parts used in Ford vehicles.
- Representing an Illinois-based utility company in litigation against distressed bondholders seeking recovery following an \$80 million bond default for an electric power facility located outside of Chicago. This was the “eighth largest municipal bond default in the history of the municipal market,” according to the Bond Investors Association.
- Winning a dismissal of all claims against a major utility company in an antitrust lawsuit alleging conspiracy to monopolize, tying, and a group boycott involving an interstate gas pipeline system.
- Litigating the existence of an agreement to affiliate our client’s television stations with the WB Television Network. We secured a favorable settlement in the context of the sale of our client’s Houston station for \$95 million, an “incredibly high” price according to Variety, including payment of all our attorneys’ fees.
- Defending a major pharmaceutical company in a \$68 million lawsuit claiming breach of contract, fraud, tortious interference, misappropriation of confidential information, and conspiracy to convert patent rights in connection with the company’s alleged failure to invest in an agricultural equipment enterprise.

Our Lawyers

Thomas R. Ajamie **Managing Partner**

Mr. Ajamie is an internationally-recognized trial lawyer who has successfully represented clients in complex commercial litigation and arbitration. The authoritative Chambers USA has described Mr. Ajamie as “relentless, energetic and intelligent” and a “hard-working and successful trial lawyer who never quits.” He has handled a number of high-profile cases, including groundbreaking securities and financial cases, cross-border litigation, business contract disputes and employment issues. Mr. Ajamie has won two of the largest awards ever handed down by an arbitration panel for investors, including a \$429.5 million award. He has also won a record \$112 million civil RICO jury verdict. Mr. Ajamie has been recognized by numerous legal publications and directories, including Chambers USA, Best Lawyers in America, Euromoney’s Benchmark Litigation, and Super Lawyers, and is rated AV-Preeminent by Martindale-Hubbell. The National Law Journal has named Mr. Ajamie one of its 50 Litigation Trailblazers. He was also honored as one of the nation’s 500 Leading Lawyers by Lawdragon, as well as that publication’s “100 Lawyers You Need to Know in Securities Litigation.” Mr. Ajamie is regularly invited to give legal analysis by news media outlets including ABC, CNN, CNBC, NPR and BBC, and his work has been featured in publications such as The Wall Street Journal, The New York Times and The American Lawyer. He is the co-author of the book Financial Serial Killers: Inside the World of Wall Street Money Hustlers, Swindlers, and Con Men. Mr. Ajamie received his law degree from the University of Notre Dame Law School. He is licensed to practice law in Texas and New York, and is admitted to the United States District Courts for the Northern, Southern, Eastern and Western Districts of Texas, the District of Colorado, the United States Bankruptcy Court for the Southern District of New York, and the Fifth Circuit of the U.S. Court of Appeals.

John S. “Jack” Edwards, Jr. **Partner**

Mr. Edwards handles a wide range of commercial disputes before state and federal courts, including antitrust, contracts, copyright, ERISA, fraud, insurance coverage, product liability, securities, trade secrets, toxic tort, and wrongful death cases. Many of his cases involve allegations of fraud or self-dealing, such as securities fraud, investment fraud, or ERISA breach of fiduciary duty. Others involve highly technical industries, such as vehicle manufacturing or radio-communication systems. He has tried cases in Texas and Pennsylvania, and argued before the Fifth Circuit Court of Appeals. He recently recovered a record \$79 million on behalf of former Wells Fargo financial advisors whose deferred compensation was illegally forfeited in violation of ERISA. Mr. Edwards was a member of the legal team that recovered over \$173.8 million for investors in the Cobalt International Energy, Inc. securities class action litigation, and a member of the legal team that recovered \$22.5 million for investors in the Conn’s, Inc. securities class action litigation. He has been honored for his pro bono efforts, including receiving the Harris County Bench-Bar Pro Bono Award, the Houston Volunteer Lawyers’ Roadrunner Award, and Special Recognition for Exceptional Pro Bono Representation from the Houston Bar Foundation. Mr. Edwards was named a Texas Rising Star by Super Lawyers and is

rated AV-Preeminent by Martindale-Hubbell. He received his law degree from the University of Virginia School of Law. He is admitted to the Northern, Southern, Eastern and Western Districts of Texas, and the Fourth and Fifth Circuits of the U.S. Court of Appeals.

Courtney Scobie
Partner

Ms. Scobie's practice focuses on complex commercial litigation in state and federal courts and federal government investigations. Her experience includes winning a \$12.2 million judgment, including full damages and all attorneys' fees, on behalf of a multinational computer technology company against its former employees and contractors who conspired to engage in a false-invoice and bid-rigging scheme to defraud the company. Ms. Scobie also won the dismissal of an antitrust complaint filed in New Jersey by Prime Healthcare, Inc. against our client who operates hospitals in New Jersey. Other experience includes a breach of fiduciary duty and legal malpractice case on behalf of a real estate investment trust, copyright infringement and trade secret misappropriation cases against a leading enterprise software company, an SEC investigation and a securities class action involving alleged accounting improprieties, several CFTC investigations involving the crude oil and natural gas liquids markets, contract and insurance disputes, product liability and toxic tort litigation, medical malpractice litigation, and Fair Credit Reporting Act disputes. Ms. Scobie was named a Texas Rising Star by Super Lawyers, and she has twice won the President's Award from the Houston Bar Association. She is a Phi Beta Kappa graduate of the University of Texas, and she earned her law degree from Georgetown University. She is licensed to practice law in Texas and is admitted to the Southern and Western Districts of Texas.

Wallace A. Showman
Of Counsel

Wallace A. Showman has litigated dozens of successful class actions and derivative cases involving securities, corporate transactions, and consumer protection over the past twenty years, including *In re Gulf Oil/ Cities/Cities Service Tender Offer Litigation*, (S.D.N.Y.); *In re Marion Merrell Dow Inc. Securities Litigation*, *Sommerfield v. Tracinda* (D. Nev.), *In re U.S. Banknote Corp. Securities Litigation*, (S.D.N.Y.); *In re Amdahl Corp. Shareholders Litigation*, (Del. Ch.); *In re Northeast Utilities Securities Litigation*, *In re ICN /Viratek Securities Litigation*, (S.D.N.Y.); *In re PaineWebber Securities Litigation*, (S.D.N.Y.); *ITT v. Hilton Hotels Corp. et al.*, CV-S-97-0095-PMP(RLH) (D. Nev.); *In re Warner Lambert Derivative Litigation* (Del. Ch.), *In re Cendant Securities Litigation* (D. N.J.), and *In re Telxon Corp. Securities Litigation* (D. Ohio). Mr. Showman is a graduate of Queens College and received his law degree from New York University School of Law. He is licensed to practice in New York and is admitted to the United States District Courts for the Southern Eastern and Northern Districts of New York, and the District of Colorado.

**Theodore Davis
Of Counsel**

Theodore Davis began his securities law career over 20 years ago as staff counsel at Prudential Financial, analyzing investor complaints, negotiating settlements, and defending the firm in arbitrations around the country. In 2003, Theo switched hats and began representing investors in arbitrations before the NASD and FINRA.

Theo attracted national acclaim after his landmark arbitration award against a clearing firm — an important financial entity that normally limits its business to essential, back-office administration — on behalf of a retired investor in Florida. After a contentious, week-long arbitration, Theo's client was awarded 100% of her losses, interest on those losses, her attorney's fees, as well as punitive damages against the clearing firm – three times her actual losses. He then successfully defended the win before a federal judge in Tampa after the clearing firm sued to vacate the award. *Kostoff vs. Fleet Securities, et al.* (FINRA-DR 04-04259) . The case was later featured in the clearing firm liability section of David Robbins' *Securities Arbitration Procedure Manual*. Theo also successfully advocated for a disabled investor in Connecticut — receiving an award that not only returned all of the investor's losses, but also a sizable sanction against the brokerage firm for its misconduct. *Bram vs. Wunderlich Securities, Capital Securities of America, et al.* (FINRA-DR 08-00773).

In addition, Theo is a licensed Solicitor in England and Wales, successfully representing overseas investors in numerous cases before FINRA. He negotiated a high-dollar settlement on behalf of a retired flight attendant from Norway (one of Pan Am's original 747 stewardesses) who had been defrauded of her life savings by an unscrupulous broker.

**Dona Szak
Of Counsel**

Ms. Szak handles business litigation for foreign and domestic clients. She litigates in federal and state courts and has taken cases through all stages of proceedings: pre-lawsuit investigation, trial, appeal, and judgment collection. She has represented plaintiffs and defendants in contract, securities, antitrust, civil RICO, and business tort matters. By conducting preventive counseling, she has helped her clients achieve favorable resolutions to their business controversies, often without the necessity of filing or defending lawsuits. Ms. Szak has also been honored as one of the nation's 500 Leading Lawyers by Lawdragon, and is rated AV-Preeminent by Martindale-Hubbell. Ms. Szak received her undergraduate degree from the University of Illinois and her J.D. *cum laude* from Washington & Lee University. She is licensed to practice law in Texas and is admitted to the Southern and Eastern Districts of Texas, and the Federal Circuit of the U.S. Court of Appeals.